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## Insiders Report Tracking the Issues through Diverting Attention from Intelli

The outcry which led to the resignation of Max Hugel, third ranking official at the Central Intelligence Agency, and which has badly weakened the prestige and effectiveness of William Casey, Director of Central Intelligence, is rooted in public and congressional concern over the effectiveness of the intelligence community. The fact that both of these officials lacked contemporary intelligence experience and were appointed because of their work in the 1980 presidential campaign has been publicly deplored by prominent public officials, and there has been pressure for "intelligence professionals" to fill both positions. Mr. Hugel's successor, John Stein, is such a professional, a veteran of the operations directorate of the CIA.

There is a strong consensus both in Congress and among the general public to improve the quality of American intelligence, and a feeling that this can best be achieved by removing restrictions from the professionals in the community. This interest is demonstrated by the careful manner in which the Senate is approaching the issue of exempting the intelligence community from the provisions of the Freedom of Information Act. Currently two bills, S.1273 introduced by Senator John Chafee, and S.1235 sponsored by Senator Alphonse D'Amato, are being considered by the Senate Select Committee on Intelligence. Both of these bills are designed to help the intelligence community preserve necessary secrecy while doing as little violence as possible to the principle of freedom of information.

In other actions, Congress is moving closer to adopting the Intelligence Identities Protection Act (S.391 and H.R. 4). This act is attempt to frustrate a number of groups committed to destroying U.S. intelligence, which among other efforts publish names of individuals which they claim are CIA agents. Opposition to this act has come primarily from the American Civil Liberties Union, which contends that careful study of State Department records will reveal the identity of CIA agents and that hence this information is in the public domain. The recent Supreme Court decision, *Haig vs. Agee*, which ruled that the lifting of Philip Agee's passport in 1974 was constitutional, concluded: "Agee's disclosures, among other things, have the declared purpose of obstructing intelligence operations and the recruiting of intelligence personnel. They are clearly not protected by the Constitution." This Supreme Court decision is evidence that any effort to challenge the Intelligence Identities Protection Act on constitutional grounds will not be successful.

It is unfortunate that upgrading the performance of American intelligence has become so firmly identified with insulating the intelligence bureaucracy from outside competition. This identification has been reinforced by the Hugel affair. Before the election there had been recognition that within the intelligence community there were severe problems with the analytical bureaucracy, and that any effort to reform this would require at the very least

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ministration, as a permanent non-partisan body of distinguished Americans to perform a constant audit of national intelligence research and performance. We will propose methods of providing alternative intelligence estimates in order to improve the quality of the estimates by constructive competition.

Yet Mr. Casey's commitment to the competitive estimates process has been lukewarm at best. In his first address to the CIA staff, he stated:

I found in SALT I, for example, that some of the judgements were soft. They leaned toward a kind of benign interpretation rather than a harder interpretation of assessing or viewing a situation as being more dangerous. . . . At the PFIAB I supported a competitive assessment process, but I am open as to how that can best be done. Like anyone else I am in favor of improving our analytical capabilities—that is something easy to be for.

Mr. Casey's actions since this address was made have confirmed its tone. None of the important critics of the intelligence analytical process has been appointed to the CIA staff. A special National Intelligence Council at the CIA, formed to "upgrade the system under which national intelligence estimates are produced," is dismissed by many as decorative. They note that the chairman of the new panel, Henry Rowen, was associated with many of the intelligence failures of the 1960s and early 1970s while president of the RAND Corporation, even though in the late 1970s he criticized the "CIA's optimistic assessments of Soviet military strength." They also point out that the panel is empowered only to make minor changes in the existing system, rather than radical improvements.

Of even more concern are the persistent reports that the plans for reconstituting PFIAB will no longer give it direct access to the President. Instead, it will report to the Director of Central Intelligence. The "A-Team/B-Team" experiment in competitive analysis would not have been carried out if PFIAB had not had this access to the President, and there are real concerns that if PFIAB is so constituted it will become a prisoner to the intelligence bureaucracy.

It would appear as though the result of the Hugel resignation and the criticism it brought upon Mr. Casey has been to increase his dependence on the intelligence bureaucracy. His ability to challenge established institutions and mental patterns within the CIA has been undercut, and any confrontation with department heads or national intelligence officers would have a detrimental effect on his image if leaked. Firm action is needed by the White House in this situation. PFIAB should be immediately re-established, and with its backing Mr. Casey should be given the authority to make some badly needed institu-